IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.379 OF 2003
IN
SUMMARY SUIT NO.2915 OF 2002

Bank of India ....Plaintiff

V/s.

Marnell Lab.Pvt.Ltd. & Ors. ....Defendants

Ms.Stella L. Noronha for the Plaintiff.

None for the Defendants.

CORAM : S.J. VAZIFDAR, J.
DATED : 6TH JUNE, 2005.

P.C. :

1. The suit is filed to recover the amounts in respect of the demand promissory note dated 15th December, 2000. The same was executed in consideration of amounts lent and advance by the Plaintiff to Defendant No.1. Defendant Nos.2, 3 and 4 are the guarantors.

2. There is no affidavit in reply. There is no defence to the suit. There is no reply to the advocate’s notice of demand.

3. In the circumstances, the Summons for Judgment is made absolute against Defendant Nos.1, 2 and 4. The suit is decreed against Defendant Nos.1, 2 and 4 as prayed. However, the interest after the date of the suit shall be only on principal amount of Rs.4,15,350/- at the rate of 12% p.a. on the basis of simple interest. The Summons for Judgment is accordingly disposed of.

3. Refund as per rules.

. For the purpose of refund of the court fees, the Prothonotary and Senior Master to act on an authenticated copy of this order.